

TIVERTON TOWN COUNCIL

Regular Meeting: Tuesday, May 26, 2009 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 05-21-09

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President

JoAnne Arruda-Vice President

Hannibal Costa

Louise Durfee

Jay Lambert

Cecil E. Leonard

Edward Roderick

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Minutes from May 11, 2009 Regular Council Meeting

b. Approval of Executive Session Minutes from May 11, 2009 Council Meeting

c. Approval of Executive Session Minutes from April 27, 2009 Council Meeting
Councilor Bollin abstained – absent

d. Approval of Special Meeting Executive Session on April 24, 2009
Councilor Arruda abstained – absent

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Recreation Commission

d. Wastewater Management

b. Historical Cemetery

e. Planning Board

c. Cemetery Commission

f. Harbor Commission

(C.A.) 3. Correspondence – Receive and File

a. Received From Town of Burrillville Regarding Opposing House Bill H-5971 An Act Relating to Parks and Recreational Areas

b. Received From Town of Charlestown Regarding Support of U.S. Supreme Court Opinion in *Carcieri v Salazar* - Ensuring All Land Throughout Rhode Island be Governed by State Law and Municipal Ordinances

c. Received From Caroline Sedano Regarding Public Financing of All General Elections in Rhode Island

(C.A.) 4. Approval of Tax Assessor Abatements

(C.A.) 5. Approval to Schedule Public Hearing on June 22 Council Meeting for Noise Variance on Outdoor Music at St. Theresa's Annual Feast to be Held on July 31 and August 1

B – FINANCIAL BUSINESS:

1. Town Administrator– Request Approval of Transfer for \$11,351.22
From Acct 554-611 (DPW Gas & Oil) to Acct 105-359 (Litigation)
2. Town Administrator – Request Approval of Transfer for \$19,654.90
From Acct 331-101 (Firefighter Salaries) to Acct 331-102 (Overtime)
3. Town Administrator/DPW Director – Request Approval of Transfer of Funds
From Acct 554-611(DPW Gas & Diesel) for \$5,398.52 and From Acct 553-611
(Landfill Gas & Diesel) for \$7,701.48 to Acct 553-339 (Engineering Services)
4. Town Clerk – Request Release of Carry Forward Acct 098-101-553 Recodify
Town Code for \$9,925.00
5. Town Administrator – Request Approval for Release of Carry Forward Funds
In the Amount of \$49,391.14 From Following Account and Transfer to
Account 331-102 (Fire Department Overtime)

Account 098- 554-610 (DPW Heat) for \$1,918.65

Account 098-554-611 (DPW Gas & Motor Oil) for \$1,151.74

Account 098-554-698 (DPW Sand, Salt, Gravel & Pipe) for \$22,786.84

Account 098-554-794 (DPW Drainage & Paving) for \$22,728.42

Account 098-108-340 (Zoning Board of Rev Stenographer) for \$805.49

C - BOARD OF LICENSING COMMISSIONERS **PUBLIC HEARING – ADVERTISED**

1. Huejan, Inc., d/b/a Lil' Bear Sports Lounge, 983 Main Road
 - a. Requesting Full Liquor BV License – Subject to Meeting All Legal Requirements –Continue from May 11
 - b. Requesting Entertainment License – Subject to Meeting All Legal Requirements Continued from May 11

BOARD OF LICENSING COMMISSIONERS -NON ADVERTISED

2. Huejan, Inc., d/b/a Lil' Bear Sports Lounge, 983 Main Road
Requesting Victualling License – Subject to Meeting All Legal

D - APPOINTMENTS & RESIGNATIONS:

1. Town Administrator – Request Council Approval for Tax Collector Appointment

E - UNFINISHED BUSINESS:

F – PUBLIC HEARING – ADVERTISED

G - NEW BUSINESS:

1. C. Spencer, Town Planner – Request Date for Public Hearing be Set for Proposed Zoning Changes
2. Town Clerk – Request Approval to Enter into Agreement for Revision and Re-codification of Town Ordinances and Statutes

H – BIDS AND REQUESTS FOR PROPOSALS

1. Town Administrator/ DPW Director – Request Approval to Solicit Bids for Mower/Brush Cutter Lease Purchase
2. Town Administrator/Police Chief Blakey - Request Approval to Solicit Bids for Animal Shelter(Pound Services)

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor - Litigation – 42-46-5(a) (2)

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

6. **ADJOURNMENT** Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”